IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 21ST DECEMBER 2006 / 30TH AGRAHAYANA 1928

Bail Appl..No. 7348 of 2006()

Crime No.536/06 of Balaramapupram Police Station

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: PETITIONERS/ACCUSED

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1. SAKKIR HUSSAIN, S/O.SHAHABUDEEN,
RANI MAHAL, VETTUVILAKOM,
BALARAMAPURAM, THIRUVANANTHAPURAM.

2. NASIKATHAINA, W/O.SAKKIR HUSSAIN,
DO. DO.

BY ADV. SRI.G.SUDHEER

RESPONDENT: COMPLAINANT

STATE OF KERALA,
REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI. A.S. SIVAKUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 21/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Bail Application NO.7348 of 2006

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Dated this the 21st day of December, 2006

O R D E R

Petitioners, who are accused Nos.1 and 2 in Crime No.536 of 2006 of Balaramapuram Police Station for offences punishable under Sections 471, 468 and 420 I.P.C., seek anticipatory bail. The offence pertains to the sale of a Tayota Innova motor car.

2. After hearing the learned Public Prosecutor and the learned counsel appearing for the defacto complainant, it is revealed that a portion of the amount due from the accused has been paid to the defacto complainant. Taking note of this circumstance, I am inclined to grant anticipatory bail to the petitioners. Accordingly, a direction is issued to the officer-in-charge of the police station concerned to release the petitioners on bail for a period of one month in the event of their arrest in connection with the above case on each of them executing a bond for Rs. 10,000/- with two solvent sureties each for the like amount to the satisfaction to the said officer and subject to the following conditions:

1. The first petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. Petitioners shall make themselves available for interrogation as and when required by the Investigating Officer.

3. Petitioners shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.

4. Petitioners shall not commit any offence while on bail.

5. Petitioners shall surrender before the Magistrate concerned and seek regular bail in the meanwhile.

If the petitioners commit breach of any of the above conditions, the bail granted to them shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR,
JUDGE.

ess 21/12